

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Takeo OSHIMI et al

Application No.: 10/531,422

I. A. Filing Date: January 28, 2005

Filed: April 15, 2005

For: ...COMPOSITE CHROMIUM PLATING FILM AND SLIDING...

Customer Service Window, Mail Stop Amendment

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, 401 Dulany Street
Alexandria, Virginia 22314

Sir:

Transmitted herewith is a REPLY TO RESTRICTION REQUIREMENT in the above-identified application.

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

☒ No additional fee is required.

☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	0
INDEP.	*	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 25	\$
x 100	\$
+ 180	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 50	\$
x 200	\$
+ 360	\$
TOTAL	

OR

OR

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 60.00
- ☐ Second - \$ 225.00
- ☐ Third - \$ 510.00
- ☐ Fourth - \$ 795.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 120.00
- ☐ Second - \$ 450.00
- ☐ Third - \$ 1020.00
- ☐ Fourth - \$ 1590.00

Month After Time Period Set

☐ Less fees (\$) already paid for month(s) extension of time on .

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$.

☐ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.

☐ A check in the amount of \$ is attached (check no.).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: OSHIMI=1

In re Application of:)	Confirmation No.: 8968
)	
Takeo OSHIMI et al)	Art Unit: 1775
)	
I.A. Filing Date: 01/28/2005)	Examiner: J.J. Zimmerman
371(c) Date: April 15, 2005)	
)	February 2, 2007
U.S. Appln. No.: 10/531,422)	
)	
For: COMPOSITE CHROMIUM PLATING)		
FILM AND SLIDING...)	

REPLY TO RESTRICTON REQUIREMENT

Customer Service Window, Mail Stop Amendment
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

The applicants are in receipt of the Office Action mailed January 10, 2007, primarily in the nature of a requirement for restriction. Applicants reply below.

First, however, applicants note the acknowledgement by the PTO of the receipt of applicants' papers filed under Section 119.

Restriction has been required between what the PTO deems to be two (2) patentably distinct inventions. As applicants must make an election even though the requirement

is traversed, and even though unity of invention practice applies rather than restriction practice, applicants hereby respectfully and provisionally elect Group I, presently claims 1-3, without traverse and without prejudice. Applicants accept that the two inventions are patentably distinct from one another, i.e. each is non-obvious from the other, and applicants rely on 35 USC 121.

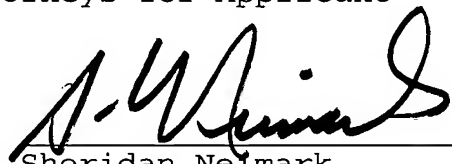
Applicants respectfully reserve the right to proceed with a divisional application directed to the non-elected subject matter, if applicants choose to do so, applicants in such a case proceeding without prejudice and relying on their rights, including those rights provided by §§121, 120 and 119.

Applicants now respectfully await the results of a first examination on the merits.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By


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